

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Peter Bodine

Application No.: 10/666,851

Confirmation No.: 6790

Filed: September 19, 2003

Art Unit: 1646

For: PHARMACEUTICAL COMPOSITIONS AND  
METHODS OF USING SECRETED FRIZZLED  
RELATED PROTEIN

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Examiner: X. Xie

**REQUEST FOR RECONSIDERATION**

MS Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This request is being made within two months of the Decision mailed February 1, 2007 refusing the Petition Under 37 CFR §1.78(a)(3) for Unintentionally Delayed Claim Under 35 USC 120 For The Benefit of Prior-Filed Applications. Applicants respectfully request Reconsideration of the Decision.

Applicants requested acceptance of an unintentionally delayed claim for priority, providing a preliminary amendment and Application Data Sheet adding the erroneously omitted priority claims, the appropriate \$1,370.00 fee, and a statement that the entire delay was unintentional. The Office refused correction on the grounds that the preliminary amendment incorrectly incorporated by reference PCT International Application No. PCT/US2000/025035 and U.S. Patent Application No. 09/394,832.

In response, Applicants submit a new Preliminary Amendment correctly introducing the previously omitted priority claims. The incorporations by reference of PCT International Application No. PCT/US2000/025035 and U.S. Patent Application No. 09/394,832 have been removed. The incorporations by reference of U.S. Patent Application Serial No. 10/169,545 and U.S. Provisional Patent Application Serial No. 60/412,379 have been retained, as these applications were incorporated by reference at the time the subject application was filed.

Applicant submits that all the requirements of 37 C.F.R. § 1.78(a)(3) are now satisfied, and the Commissioner is respectfully requested to grant this Petition.

Dated: February 13, 2007

Respectfully submitted,

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